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Seeking Appointment as Attorney for Defendant
MARCUS DICKERSON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. F 97-5217 AWI
)	
Plaintiff,)	REQUEST FOR APPOINTMENT OF
)	COUNSEL; ORDER
v.)	
)	<u>RETROACTIVE CRACK COCAINE</u>
MARCUS DICKERSON,)	<u>REDUCTION CASE</u>
)	
Defendant.)	Date: May 19, 2008
)	Time: 9:00 a.m.
_____)	Judge: Hon. ANTHONY W. ISHII

Pursuant to 18 U.S.C. §§ 3006A(c) and 3852(c)(2), Defendant, MARCUS DICKERSON, hereby requests the court appoint the Office of the Federal Defender and Assistant Federal Defender David M. Porter as counsel to represent him with respect to his motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2), filed April 10, 2008. Mr. Porter is familiar with the case and is willing to accept the appointment.*

Appointment of counsel would serve the interests of justice in this case because it might facilitate a negotiated disposition of the motion and because the motion might raise novel legal issues surrounding application of the United States Sentencing Commission's

* Mr. Dickerson has authorized the undersigned to file this application on his behalf.

1 recent retroactive reduction of sentences under the crack cocaine
2 guidelines. Because Mr. Dickerson's substantial rights may be affected
3 by these criminal proceedings, he is constitutionally entitled to
4 appointment of counsel. *Mempa v. Rhay*, 389 U.S. 128, 134 (1967).

5 Accordingly, Mr. Dickerson requests the Court issue the order
6 lodged herewith.

7 Dated: April 10, 2008

8 Respectfully submitted,

9 DANIEL J. BRODERICK
10 Federal Defender

11 /s/ David M. Porter
12 DAVID M. PORTER
Assistant Federal Defender

13 Seeking Appointment as Attorney for Movant
14 MARCUS DICKERSON

15 **O R D E R**

16 Pursuant to defendant's request, and good cause appearing
17 therefor, the Office of the Federal Defender and Assistant Federal
18 David M. Porter is hereby appointed to represent defendant with respect
19 to his motion to reduce sentence.
20

21 IT IS SO ORDERED.

22 Dated: April 11, 2008

23 /s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE